

REMARKS

Claims 1 to 33 were pending in the application at the time of examination. The Examiner objected to the drawings. Claims 1 to 8, 15 to 22, and 29 to 33 stand rejected as anticipated. Claims 9 to 14 and 23 to 28 stand rejected as obvious.

In view of the objection to Figures 5 to 8, Applicant submits two sheets of replacement drawings herewith. As noted above, the corrections to the drawings directly address the Examiner's objections. Accordingly, Applicant requests reconsideration and withdrawal of the objections to Figures 5 to 8.

Applicant has amended Claim 1 to eliminate any discussion as to whether the Examiner should consider the preamble in interpreting the Claim. When the Claim is read in view of the description, it is clear that communicating between the window manager and the at least one application should be read as a direct communication. See, for example, Description, pg. 13, paragraph 55. Nevertheless, to avoid discussions on whether the Examiner is being requested to read limitations into the claim from the specification, Applicant has amended the claim to reflect the inherent direct nature of the communication.

When Claim 15 is read in view of the description, it is clear that communicating between the window manager and the at least one application should be read as a direct communication. See, for example, Description, pg. 13, paragraph 55. Nevertheless, to avoid discussions on whether the Examiner is being requested to read limitations into the claim from the specification, Applicant has amended the claim to reflect the inherent direct nature of the communication.

Applicant also has amended Claim 29 to eliminate any discussion as to whether the Examiner should consider the preamble in interpreting the Claim. When the Claim is read in view of the description, it is clear that communicating between

the window manager and the at least one application should be read as a direct communication. See, for example, Description, pg. 13, paragraph 55. Nevertheless, to avoid discussions on whether the Examiner is being requested to read limitations into the claim from the specification, Applicant has amended the claim to reflect the inherent direct nature of the communication. Also, Applicant has amended the claim to recite that the method is stored in the form of computer readable instructions.

Claims 1 to 8, 15 to 22, and 29 to 33 stand rejected under 35 U.S.C. 102(b) as anticipated by U.S. Patent No. 5,764,230, hereinafter Baradel. Figs. 9 and 10 of Baradel show that the manager of Baradel and the Xclients communicate through a server rather than directly via an interface (See Applicant's Figs. 7 and 8 for example.) Applicant acknowledged such communication via a server as being in the prior art and recited in Claim 1 a novel method including:

communicating graphical display data directly between a window manager and at least one application in a network-based windowing system using an interface

Since Baradel teaches communication via a server, Baradel teaches away from the direct communication between a windows manager and at least one application as recited in Claim 1. Accordingly, Applicant requests reconsideration and withdrawal of the anticipation rejection of Claim 1.

Claims 2 to 8 depend from Claim 1 and so distinguish over Baradel for at least the same reasons as Claim 1. Applicant requests reconsideration and withdrawal of the anticipation rejection of each of Claims 2 to 8.

Claim 15 includes limitations similar to Claim 1. Therefore the above comments with respect to Claim 1 are applicable to Claim 15 and are incorporated herein by reference. Applicant requests reconsideration and withdrawal of the anticipation rejection of Claim 15.

Claims 16 to 22 depend from Claim 1 and so distinguish over Baradel for at least the same reasons as Claim 1. Applicant requests reconsideration and withdrawal of the anticipation rejection of each of Claims 16 to 22.

Claim 29 includes limitations similar to Claim 1. Therefore the above comments with respect to Claim 1 are applicable to Claim 29 and are incorporated herein by reference. Applicant requests reconsideration and withdrawal of the anticipation rejection of Claim 29.

With respect to the anticipation rejection of Claim 30, Figs. 9 and 10 of Baradel show that the manager of Baradel and the Xclients have access to each other by communicating with a server. Applicant acknowledged such communication as in the prior art and recited in Claim 30 a novel graphical subsystem program element including:

an interface operable to permit **direct access between an application and the window manager** (Emphasis added.)

Since Baradel teaches access via a server, Baradel teaches away from the direct access between a windows manager and at least one application via an interface. Accordingly, Applicant requests reconsideration and withdrawal of the anticipation rejection of Claim 30.

Claim 31 depends from Claim 30 and so distinguishes over Baradel for at least the same reasons as Claim 30. Applicant requests reconsideration and withdrawal of the anticipation rejection of Claim 31.

Claim 32 includes limitations similar to Claim 30. Therefore the above comments with respect to Claim 30 are applicable to Claim 32 and are incorporated herein by reference. Applicant requests reconsideration and withdrawal of the anticipation rejection of Claim 32.

Claim 33 depends from Claim 32 and so distinguishes over Baradel for at least the same reasons as Claim 32. Applicant

requests reconsideration and withdrawal of the anticipation rejection of Claim 33.

Claims 9 to 11 and 23 to 25 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Baradel in view of U.S. Patent No. 5,881,222 hereinafter referred to as Berry.

Applicant notes that the Examiner cited additional information in Berry and used that information in modifying Baradel. Assuming such a modification is correct, the additional information cited by the Examiner fails to overcome the deficiency of Baradel as noted above with respect to Claim 1 and incorporated herein by reference. Since Claims 9 to 11 depend from Claim 1, each of Claims 9 to 11 distinguishes over the combination of references for at least the same reason as Claim 1. Applicant requests reconsideration and withdrawal of the obviousness rejection of each of Claims 9 to 11.

Similarly, Claims 23 to 25 depend from Claim 15, each of Claims 23 to 25 distinguishes over the combination of references for at least the same reason as Claim 15. Applicant requests reconsideration and withdrawal of the obviousness rejection of each of Claims 23 to 25.

Claims 12 to 14 and 26 to 28 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Baradel in view of U.S. Patent No. 5,522,025 hereinafter referred to as Rosenstein.

Applicant notes that the Examiner cited additional information in Rosenstein and used that information in modifying Baradel. Assuming such a modification is correct, the additional information cited by the Examiner fails to overcome the deficiency of Baradel as noted above with respect to Claim 1 and incorporated herein by reference. Since Claims 12 to 14 depend from Claim 1, each of Claims 12 to 14 distinguishes over the combination of references for at least the same reason as Claim 1. Applicant requests reconsideration



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and withdrawal of the obviousness rejection of each of Claims 12 to 14.

Similarly, Claims 26 to 28 depend from Claim 15, each of Claims 26 to 28 distinguishes over the combination of references for at least the same reason as Claim 15. Applicant requests reconsideration and withdrawal of the obviousness rejection of each of Claims 26 to 28.

Claims 1 to 33 remain in the application. Claims 1, 15 and 29 have been amended. For the foregoing reasons, Applicant(s) respectfully request allowance of all pending claims. If the Examiner has any questions relating to the above, the Examiner is respectfully requested to telephone the undersigned Attorney for Applicant(s).

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on July 7, 2004.

Attorney for Applicant(s)

July 7, 2004

Date of Signature

Respectfully submitted,

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Attachments